

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Copy 1646  
#14

Applicant(s): Parrott & LaFayette

Serial No.: 09/802,208

Group Art Unit: 1646

Filed: 3/8/2001

Title: ARABITOL OR RIBITOL AS  
POSITIVE SELECTABLE  
MARKERS

RECEIVED  
NOV 13 2002  
TECH CENTER 1600/2900

Attorney Docket No.: UGA-855R

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation. Applicant(s) further state that a Supplemental Information Disclosure Statement was filed on 11/4/02 and included copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. It should be noted, however, that the filing of 11/4/02 was not submitted with a proper signature.

Accordingly, Applicant(s) re-submit this Supplemental Information Disclosure Statement and request that the information disclosed herein be made of record in this application.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,



Timothy H. Van Dyke  
Attorney/Agent for Applicant(s)  
Reg. No. 43218

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: November 5, 2002

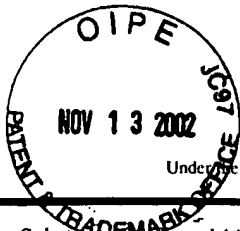
Typed Name: Timothy H. Van Dyke

Signature: 

Date: 11-5-2002

**Customer No: 29847**

Van Dyke & Associates, P.A.  
7200 Lake Ellenor Drive, Suite 252  
Orlando, FL 32809  
Phone: 407-228-0328; Fax: 407-228-0329



Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				Application Number	09/802,208
				Filing Date	3/8/2001
				First Named Inventor	Parrott
				Group Art Unit	1646
				Examiner Name	Unknown
Sheet	1	of	2	Attorney Docket Number	UGA-855R

RECEIVED  
NOV 13 2002  
TECH CENTER 1600/2900

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	r <sup>2</sup>
		ATSCHUL, S. F. et al., <i>Basic Local Alignment Search Tool</i> , J. Mol. Biol. 215:403-410 (1990).	
		BACHMANN B.J., <i>Pedigrees of Some Mutant Strains of Escherichia coli K-12</i> . Bacteriol Rev 36:525-557 (1972).	
		BAILEY et al., <i>Genotype Effects on Proliferative Embryogenesis and Plant Regeneration of Soybean</i> , In Vitro-Plant. 29P:102-108 (July 1993).	
		HALDRUP, A., PETERSEN, S. & OKKELS, F. <i>Positive selection: A plant selection principle based on xylose isomerase, an enzyme used in the food industry</i> . Plant Cell Rep. 18, 76-81. (1998).	
		KANABUS, J., BRESSAN, R. & CARPITA, N. <i>Carbon assimilation in carrot cells in liquid culture</i> . Physiol. Plant. 82, 363-368 (1986).	
		KLEIN TM, WOLF ED, WU R, SANFORD JC <i>High-velocity microprojectiles for delivering nucleic acids into living cells</i> . Nature 327:70-73 (May 1987).	
		LINN, E. <i>An inducible D-arabitol dehydrogenase from Aerobacter aerogenes</i> . J. Biol. Chem. 236, 31-36 (January 1961).	
		ODELL et al., <i>Identification of DNA sequences required for activity of the cauliflower mosaic virus 35S promoter</i> . Nature 313:810-812 (February 1985)	
		TARTOF, K.D., C.A.HOBBS, <i>Improved media for growing plasmid and cosmid clones</i> . Focus 9:12-16 (1987).	
		WIMAN M, BERTANI G, KELLY B, SASAKI I <i>Genetic map of Escherichia coli strain C</i> . Mol Gen Genet 107:1-31 (1970).	
		ZHENG Z, HAYASHIMOTO A, LI Z, MURAI N. <i>Hygromycin resistance gene cassettes for vector construction and selection of transformed rice protoplasts</i> . Plant Physiol 97:832-835 (1991).	

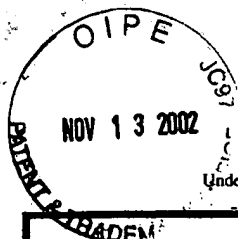
Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

BEST AVAILABLE COPY



2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO		<b>Complete if Known</b>	
		Application Number	09/802,208
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Filing Date	3/8/2001
		First Named Inventor	Parrott
		Group Art Unit	1646
		Examiner Name	Unknown
		Attorney Docket Number	UGA-855R
Sheet	2	of	2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the new book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	<sup>2</sup>
		BAILEY et al., <i>Genotype-specific optimization of plant regeneration from somatic embryos of soybean</i> , Plant Science 93:117-120 (1993).	
		CHRISTOU et al., <i>Stable Transformation of Soybean Callus by DNA-Coated Gold Particles</i> , Plant Physiology 87:671-674 (1988).	
		SAMOYLOV et al., <i>Soybean [Glycine Max (L.) Merrill] Embryogenic Cultures: The role of Sucrose and Total Nitrogen Content on Proliferation</i> . In Vitro Cell Dev. Biol.- Plant 34:8-13 (March 1998).	
		SAMOYLOV et al., <i>A liquid-medium-based protocol for rapid regeneration from embryogenic soybean cultures</i> . Plant Cell Rep 18:49-54 (1998).	
		VIOLA, R. <i>Hexose metabolism in discs excised from developing potato (Solanum tuberosum L.) tubers. II. Estimations of fluxes in vivo and evidence that fructokinase catalyses a near rate-limiting reaction</i> . Planta 198, 186-196. (1996).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

BEST AVAILABLE COPY